

REMARKS

Claim 10 has been amended to recite "wherein the organic ion is selected from trifluoromethyl-p-toluate, 2-naphthalene sulfonate, 2,3-naphthalene dicarboxylate, 1-hydroxy-2-naphthoate, 3-hydroxy-2-naphthoate, 2-naphthoate, and salicylsalicylate..." Support for this amendment can be found in original claim 15. As a result of this amendment, claim 15 has been canceled without prejudice. Claim 17 has been amended to delete "pharmaceutical equivalents thereof." No new matter has been introduced by these amendments.

Rejection under 35 U.S.C. § 112

Claim 17 has been rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite. The Examiner argues that the phrase "pharmaceutical equivalents thereof" is unclear. Without conceding this assertion, Applicant has deleted "pharmaceutical equivalents thereof" from claim 17. Accordingly, Applicant requests withdrawal of this rejection.

Rejection under 35 U.S.C. § 102

Claims 10-14, 16, and 18 have been rejected under 35 U.S.C. § 102(a) as being anticipated by Orsolini *et al.*, WO 2002058672 ("Orsolini"). As amended herein, the claims now recite an organic ion selected from trifluoromethyl-p-toluate, 2-naphthalene sulfonate, 2,3-naphthalene dicarboxylate, 1-hydroxy-2-naphthoate, 3-hydroxy-2-naphthoate, 2-naphthoate, and salicylsalicylate. Orsolini does not disclose an organic ion within this group. Thus, the amended claims are not anticipated by Orsolini, nor would the claims have been obvious at least because each element of the claims are not taught or suggested by Orsolini. Applicant therefore requests withdrawal of this rejection.

Rejections under 35 U.S.C. § 103

Claims 10-16 and 18 have been rejected under 35 U.S.C. § 103(a) as being obvious over Orsolini in view of Shefer *et al.*, WO 2002041765 ("Shefer"). The Examiner relies on Shefer for a teaching of cholate as an organic ion. However, Shefer does not disclose an organic ion recited in the amended claims. Accordingly, each element of the claims is not taught or suggested by Orsolini or Shefer, either alone or in combination. Applicant therefore requests withdrawal of this rejection.

Claims 10-18 have been rejected under 35 U.S.C. § 103(a) as being obvious over Orsolini in view of Bodmer *et al.*, U.S. Patent No. 5,876,761 ("Bodmer"). The Examiner relies on Bodmer for a teaching of specific bioactive agents and pamoate as an organic ion. However, Bodmer does not disclose an organic ion recited in the amended claims. Accordingly, each

element of the claims is not taught or suggested by Orsolini or Bodmer, either alone or in combination. Application therefore requests withdrawal of this rejection.

CONCLUSION

Pursuant to the above remarks, reconsideration and allowance of the pending claims is respectfully requested. The Examiner is invited and encouraged to directly contact the undersigned if such contact may enhance the efficient prosecution of this application to issue.

No fees are believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required to enter this response, or credit any overpayment to Deposit Account No. 14 0629.

Respectfully submitted,

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Date: May 24, 2010